# PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS MAY 18, 2011

Pursuant to Section 19.84 and 59.14, <u>Wis. Stats.</u>, notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, May 18, 2011, at <u>7:00 p.m.</u>**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Tumpach, De Wane, Nicholson, Theisen, Haefs, Erickson, Brunette, Zima,

Evans, Vander Leest, Buckley, Dantinne, La Violette, Andrews, Kaster, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Scray, Carpenter, Lund,

Fewell

Excused: Krueger \*\*

Total Present: 25 Total Excused: 1

\*\* Supervisor Krueger resigned his position as Brown County Supervisor representing District 5. Anyone wishing to apply for the vacant position should contact the Brown County Board Office.

### No. 1 -- ADOPTION OF AGENDA.

A motion was made by Supervisor Fleck and seconded by Supervisor Dantinne "to adopt the agenda with the addition of items 8b(i) and 8f(i)". Voice vote taken on agenda. Motion carried unanimously with no abstentions.

# No. 2 -- APPROVAL OF MINUTES OF APRIL 20, 2011.

A motion was made by Supervisor De Wane and seconded by Supervisor Schuller "to approve the minutes of April 20, 2011." Voice vote taken. Motion carried unanimously with no abstentions.

### No. 3 -- ANNOUNCEMENTS OF SUPERVISORS.

Supervisor Fleck invited everyone to "Celebrate De Pere" Memorial weekend with a parade scheduled for Memorial Day, Monday morning, May 30<sup>th</sup>.

Supervisor Evans announced the St. Jude Picnic is scheduled for June 4 and June 5 and invited everyone to attend.

Supervisor Clancy asked if the County Board could give recognition to Jack Krueger for his years of service to the Brown County Board of Supervisors. Chairman Zima assured Supervisor Clancy that plans are being made to recognize Jack Krueger.

#### No. 4 -- COMMUNICATIONS

No. 4a -- FROM SUPERVISOR LA VIOLETTE RE: REQUEST THAT THE VACANCY FOR DISTRICT 5 SUPERVISOR BE INCLUDED ON THE BALLOT FOR THE RECALL SPECIAL ELECTION THIS SUMMER (no written request attached).

Chair Zima stated he would take this into consideration.

FROM SUPERVISOR LA VIOLETTE RE: I RESPECTFULLY ASK THE No. 4b --EXECUTIVE COMMITTEE TO CONSIDER CHANGES IN POLICIES AND PROCEDURES THAT WOULD MAKE THE OPERATION OF THE COUNTY BOARD MORE EFFICIENT AND EFFECTIVE. FOR EXAMPLE: WE HAVE A COMMITTEE STRUCTURE TO OVERSEE DIVISIONS WITHIN THE COUNTY. TOO OFTEN IN MY OPINION THESE COMMITTEES MEET AND MAKE RECOMMENDATIONS TO THE FULL COUNTY BOARD ONLY TO HAVE THE COUNTY BOARD REPEAT AND REHASH AND REDO ALL OF THE COMMITTEE WORK. PERHAPS WE DO NOT NEED COMMITTEES; OR THE COMMUNITY MIGHT BE BETTER SERVED IF THE FULL COUNTY BOARD WOULD MEET TWICE A MONTH AS A COMMITTEE OF THE WHOLE. THAT IS ONE SUGGESTION. SUPERVISOR HAEFS IS ADAMANT ABOUT ALLOWING EVERY SUPERVISOR TO TALK ON EVERY SUBJECT AND I CERTAINLY SUPPORT HIS POSITION. HOWEVER, I DO NOT SUPPORT ALLOWING SOME SUPERVISOR TO TALK FOR HOURS AGAIN AND AGAIN. THERE SHOULD BE SOME REASONABLE LIMITS. FINALLY WE ALL BELIEVE THE CITIZENS OF BROWN COUNTY HAVE A RIGHT TO KNOW WHAT WE ARE DOING AND THAT THEY SHOULD HAVE AN OPPORTUNITY TO SPEAK AT OUR MEETINGS. I WOULD SUGGEST THAT MEETINGS THAT EXTEND BEYOND 11 P.M. AT NIGHT COMPROMISE THAT OPPORTUNITY FOR OUR TAXPAYERS FOR MANY OBVIOUS REASONS. PERHAPS THE BOARD NEEDS TO SET AN ADJOURNMENT TIME.

Refer to Executive Committee.

No. 4c -- FROM SUPERVISOR BUCKLEY RE: TO DISCUSS STATUS OF LAWSUIT INVOLVING THE FORMER COUNTY EXECUTIVE, BOARD CHAIR AND BOARD ATTORNEY TO GET CLARIFICATION ON ANY CONFLICT OF INTEREST.

Refer to Executive Committee and Corporation Counsel.

No. 4d -- FROM SUPERVISOR VANDER LEEST RE: REQUEST TO EXPLORE WAYS
TO INCREASE FRAUD INVESTIGATIONS IN SOCIAL SERVICES IN BROWN
COUNTY

Refer to Public Safety Committee.

No. 4e -- FROM SUPERVISOR BRUNETTE RE: FOR REVIEW WITH POSSIBLE CHANGES TO THE COUNTY PARK POLICY REGARDING LAUNCHING MORE THAN ONE RECREATIONAL VESSEL FROM A VEHICLE AT COUNTY DOCKS AND WATERWAYS

Refer to Education and Recreation Committee.

No. 4f -- FROM SUPERVISOR FEWELL RE: DUE TO GOVERNOR WALKER'S BUDGET REPAIR BILL THAT LIMITS UNION BARGAINING RIGHTS AND REDUCES BROWN COUNTY TO ONLY ONE BARGAINING UNIT IT IS IMPERATIVE THAT THE BROWN COUNTY BOARD REVIEW THE CONTRACT AND MAKE APPROPRIATE CHANGES FOR 2012 BUDGET YEAR.

Refer to Executive Committee.

- No. 5 -- APPOINTMENTS BY THE COUNTY EXECUTIVE.
- No. 5a -- APPOINTMENT OF CHUCK LAMINE TO THE PROFESSIONAL FOOTBALL STADIUM DISTRICT BOARD

A motion was made by Supervisor Moynihan and seconded by Supervisor La Violette "to approve the above appointment". Voice vote taken. Motion carried with Supervisors Kaster, Evans, Nicholson and Zima voting nay.

# No. 5b -- APPOINTMENT OF RAYMOND KOPISH TO THE SOLID WASTE MANAGEMENT BOARD

A motion was made by Supervisor Fleck and seconded by Supervisor Andrews "to approve the above appointment". Voice vote taken. Motion carried unanimously with no abstentions.

# No. 5c -- APPOINTMENT OF SUPERVISOR CAROLE ANDREWS TO THE BOARD OF HEALTH

A motion was made by Supervisor De Wane and seconded by Supervisor Wetzel "to approve the above appointment". Voice vote taken. Motion carried unanimously with no abstentions.

### No. 6a -- REPORT BY COUNTY EXECUTIVE.

County Executive Streckenbach expressed to the County Board that knowing we are facing a deficit, Brown County needs to explore ways to provide services in a more efficient way.

The County Executive thanked the Supervisors for meeting with him and sharing information on their respective departments.

Mr. Streckenbach announced that Tom Miller, Airport Director, received the Aviation of the Year Award.

County Executive Streckenbach announced the Brown County Golf Course is now open. He added the N.E.W. Zoo has a new baby moose and snow monkey to visit.

Mr. Streckenbach announced that the proceeds from the Dream Machine Recycling, located at the N.E.W. Zoo, will go to the Veterans.

Executive Streckenbach stated that the Department Meetings started this week. His goal is to have quality of life at the same time being a good steward of our Budget.

# No. 6b -- REPORT BY BOARD CHAIRMAN.

County Board Chairman Zima stated that on each Supervisor's desk is a chart of counties and the number of Supervisors representing each county.

### No. 7 -- OTHER REPORTS.

# No. 7a -- TREASURER'S FINANCIAL REPORT FOR THE MONTH OF DECEMBER 2010

#### BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF DECEMBER

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account from the Brown County Treasurer as of December 31, 2010.

Associated Bank and Chase Bank	\$69,295,170.15
Bank Mutual and Denmark State Bank	\$24,861,852.29
Wisconsin Development Fund	\$0.00
Overnight Investments	\$0.00
Deposits in Transit	\$3,683,609.87
Emergency Fund	(\$253,177.73)
NSF Checks Redeposited	\$15,997.70
Clerk Passport Account	\$0.00
Workers Comp Acct	(\$64,476.59)
UMR Sweep Account	(\$387,622.51)
Bank Error(s)	\$0.00
Total	\$97,151,353.18
Less Outstanding Checks	(\$750,870.18)
Other Reconcilable Items	\$0.00
Balance Per County	\$96,400,483.00

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of December 31, 2010.

	2009	2010
Year-to-Date Interest Received	\$2,315,485.59	\$1,368,741.83
Interest Received-Current Month	\$112,544.55	\$353,892.00
Year-to-Date Interest Unrestricted Funds	\$2,428,030.14	\$1,722,633.83
Working Capital Reserves Invested	\$139,383,525.65	\$92,442,206.18
Restricted Investments	\$10,873,517.59	\$27,451,699.76
Total Funds Invested	\$150,257,043.24	\$119,893,905.94
Certificates of Deposits	\$11,850,000.00	\$16,600,000.00
Treas-Gov't Agencies	\$41,062,890.57	\$40,211,884.27
Commercial Paper	\$0.00	\$0.00
Money Mkt-Pool	\$97,344,152.67	\$63,082,021.67
Total	\$150,257,043.24	\$119,893,905.94

Rate of Return:

1.180%

1.275%

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of December 31, 2010. Statement of Investments for the month of December have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney	
County Treasurer	

Submitted by Administration Committee:

Final draft approved by Corporation Counsel

A motion was made by Supervisor Clancy and seconded by Supervisor Fleck "to receive and place on file". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \( \s\ \text{Troy Streckenbach, County Executive} \) Date: 5/23/2011

# No. 8 -- STANDING COMMITTEE REPORTS:

# No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF APRIL 28, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on April 28, 2011 and recommends following motions the:

1. Review of minutes:

5.

- a. Brown County Housing Authority, March 21, 2011. Receive and place on file.
- 2. Dept of Admin Budget Status Report, December, 2010. To receive and place on file.
- 3. Dept of Admin Budget Status Report, February, 2011. To receive and place on file.
- 4. Dept of Admin Financial Statement Results Unaudited, as of December 31, 2010. To receive and place on file.
  - Dept of Admin 2011 Budget Adjustment Log. <u>To approve.</u>
- 6. Dept of Admin 2011 Grant Application Approval Log. <u>To approve.</u>
- 7. Dept of Admin Resolution re: 2010 Budget Overdraft and Shortfall Appropriations. To approve. See Resolutions, Ordinances May County Board.
- 8. Dept of Admin Budget Adjustment (11-46): Increase in expenses with offsetting increase in revenue. <u>To approve.</u>
- 9. Dept of Admin Director's Report. To approve.
- 10. Communication from Supervisor Erickson re: To have staff draft a letter to notify all groups and organizations that receive funding from Brown County that said funding may be reduced or eliminated due to possible cuts from the state. These groups should be looking for alternative funding to meet their budgets for 2012. To draft a letter to notify all groups and organizations that receive funding from Brown County that said funding may be reduced or eliminated due to possible cuts from the State.
- 11. Communication from Supervisor Vander Leest re: Request to create an ordinance requiring more than one bid on projects more than \$50,000.00. To refer to staff.

- 12. Communication from Supervisor Dantinne re: That the prime contractor does a certain percentage of the work that is bid to Brown County. <u>To refer to staff.</u>
- 13. Child Support Agency Budget Status Report, December, 2010. Receive and place on file.
- 14. Child Support Agency Budget Status Report, March, 2011. Receive and place on file.
- 15. Facility & Park Management Budget Adjustment Request (11-41): Increase in expenses with offsetting increase in revenue. Receive and place on file.
- 16. Facility & Park Management Budget Adjustment Request (11-43): Increase in expenses with offsetting increase in revenue. Receive and place on file.
- 17. Facility & Park Management Director's Report. No report, no action.
- 18. Human Resources Budget Status Report, February 28, 2011. Receive and place on file.
- 19. Human Resources Activity Report, March, 2011. Receive and place on file.
- 20. Human Resources Update on Chapter 4 Revision. To refer back to staff.
- 21. Human Resources Director's Report. Receive and place on file.
- 22. Treasurer Budget Status Report, December, 2010. Receive and place on file.
- 23. Treasurer Budget Status Reports, January, February and March, 2011. Receive and place on file.
- 24. Treasurer 2010 December Budget Financial Report. Receive and place on file.
- 25. Treasurer 2011 January, February and March Budget Financial Report. Receive and place on file.
- 26. Treasurer's Financial Report for the Month of December, 2010. See #24
- 27. Treasurer Director's Report. Receive and place on file.
- 28. Information Services Budget Status Report, December 31, 2010. Receive and place on file.
- 29. Information Services Budget Status Reports, January and February, 2011. Receive and place on file.
- 30. Information Services Director's Report. Receive and place on file.
- 31. Audit of bills. To pay bills.

A motion was made by Supervisor Lund and seconded by Supervisor Schuller "to adopt." Voice vote taken. Motion carried with Supervisor Haefs abstaining from item #1.

### No. 8b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MAY 5, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on May 5, 2011 and recommends the following:

- 1. Museum Budget Status Financial Report March 31, 2011. Receive and place on file.
- 2. Museum Discussion re: scheduling of public input sessions and 5 year strategic planning. Receive and place on file.
- 3. Museum Director's Report. Receive and place on file.
- 4. Library Budget Status Financial Report for March 31, 2011. Receive and place on file.
- 5. Library Director's Report. Receive and place on file.

- 6. NEW Zoo Budget Status Financial Report for March 31, 2011. Receive and place on file.
- 7. NEW Zoo Budget Adjustment (#11-47): Increase in expenses with offsetting increase in revenue. <u>To approve.</u>
- 8. Zoo Monthly Activity Report.
  - a. NEW Zoo Operations Report.
    - i. Admissions, Revenue, Attendance.
    - ii. Gift Shop, Mayan, Zoo Pass, Misc Revenue. Receive and place on file.
  - b. NEW Zoo Education/Volunteer Programs Report. Receive and place on file.
  - c. NEW Zoo Curator's Report. Receive and place on file.
  - d. NEW Zoo Maintenance Supervisor Report. Receive and place on file.
- 9. Zoo Director Report.
  - i. That a resolution be created honoring Ernie Ehrbar for his contributions to the NEW Zoo.
  - ii. Receive and place on file.
- 10. Golf Course Budget Status Financial Report for March 31, 2011. Receive and place on file.
- 11. Golf Course Financial Statistics as of April 17, 2011. Receive and place on file.
- 12. Superintendent's Report. Receive and place on file.
- 13. Resch Centre/Arena/Shopko Hall Update re: Repair and Maintenance Timeline at the Resch Center (standing item). Receive and place on file.
- 14. Parks Budget Status Financial Reports for March, 2011. Receive and place on file.
- 15. Parks Updated from HR re: seasonal wages of Park Department employees.

  To hold for 30 days for further information from Human Resources.
- 16. Parks Director's Report. Receive and place on file.
- 17. Audit of bills. To approve audit of bills.

A motion was made by Supervisor Andrews and seconded by Supervisor Carpenter "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

# No. 8b(i) -- REPORT OF "SPECIAL" EDUCATION & RECREATION COMMITTEE OF MAY 18, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

#### Facilities Management

- Approval of the Low Bid for the Resch Center Floor Repair Project. A motion was made by Supervisor Clancy and seconded by Supervisor Van Vonderen to approve low bid of \$210,206.00 submitted by Protective Coating Specialists. Vote taken. Motion carried unanimously.
- 1a. Budget Adjustment (11-67): Increase in expenses with offsetting increase in revenue. A motion was made by Supervisor Clancy and seconded by Supervisor Van Vonderen to approve. Vote taken. Motion carried unanimously.

# Golf Course

2. Approve low quote for Golf Course Consultant Fees. A motion was made by Supervisor Carpenter and seconded by Supervisor Clancy to approve low quote of HVS Golf Services in the amount of \$8,500.00. Vote taken. Motion carried unanimously.

A motion was made by Supervisor Clancy and seconded by Supervisor De Wane "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

# No. 8c -- REPORT OF EXECUTIVE COMMITTEE OF MAY 2, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on May 2, 2011 and recommends the following motions:

- 1. Legal Bills Review and Possible Action on Legal Bills to be paid. <u>To adopt.</u>
- 2. County Executive Report.
  - a) Budget Status Report for March 31, 2011. Receive and place on file.
  - b) Discussion re: Update re: Old Mental Health Center building (standing item). To have report taken immediately to Executive's office and add as agenda item for next month's agenda.
- 3. Internal Auditor Report.
  - a) Budget Status Report for March 31, 2011.
  - b) KI Convention Center and Resch Center Project Financing Framework. Receive and place on file.
- 4. Board Attorney Report. Receive and place on file.
- 5. Vacant Budgeted Positions (Request to Fill) Human Services Fulltime, Account Clerk I/Budget Counselor (vacated 3/1/11). <u>To approve.</u>
- 6. Vacant Budgeted Positions (Request to Fill) Human Services (2 positions) Social Worker/Case Manager (Long Term Care Developmental Disability Services) (vacated 5/2/11 & 5/12/11). To approve.
- 7. Vacant Budgeted Positions (Request to Fill) Human Services Social Worker/Case Manager (Long Term Care, Elderly and Physically Disabled) (vacated 4/22/11). To approve.
- 8. Closed Session: For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wis. Stats. § 19.85(1)(e). (Labor negotiations).
  - i. Enter Into Closed Session.
  - ii. Return to Regular Order of Business.
  - iii. No action taken.
- 9. Redistricting Review of Redistricting Options and Recommendations to County Board re: Tentative Supervisory District Plan.
  - i. <u>To approve option 29d</u>
  - ii. <u>To have a map created for 10 supervisory districts</u>
    -Ayes: 2 (Evans, De Wane);
    -Nays: 5 (Scray, Lund, Erickson, Zima, Brunette).

iii. To amend item #9 to reflect changes in map 29d to reflect the changes made by staff.

A motion was made by Supervisor Andrews and seconded by Supervisor Kaster "to adopt."

Supervisor Haefs made a comment regarding item #5. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #5 Vacant Budgeted Positions (Request to Fill) - Human Services - Fulltime,

Account Clerk 1/Budget Counselor (vacated 3/1/11). COMMITTEE ACTION: To

Approve.

Supervisor Haefs stated that two months ago he asked Supervisor Scray to look at updating information; including a pre budget cost. Following discussion, a voice vote was taken. Motion carried with Supervisor Nicholson voting nay.

### No. 8c(i) -- REPORT OF "SPECIAL" EXECUTIVE COMMITTEE OF APRIL 26, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in special session on April 26, 2011 and recommends the following motions:

1. Review of Redistricting Options and Recommendations to County Board re: Tentative Supervisory District Plan. <u>To look at an option of 26 also adding cost increases for every supervisor added and the cost to renovate City Hall if needed.</u>

A motion was made by Supervisor De Wane and seconded by Supervisor Andrews "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

### No. 8c(ii) -- REPORT OF "SPECIAL" EXECUTIVE COMMITTEE OF MAY 17, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in special session on May 17, 2011 and recommends the following motions:

- 1. Public and municipality input regarding the Tentative Brown County Redistricting Plan 29-D Amended. *No action taken.*
- 2. Committee discussion and possible action concerning the Resolution Adopting the Tentative Brown County Supervisory District Plan (29-D Amended). <u>To close the Public and Municipality Input session and refer to the Brown County Board at their May 18<sup>th</sup>, 2011 for further discussion.</u>

A motion was made by Supervisor Andrews and seconded by Supervisor De Wane "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

# No. 8d -- REPORT OF HUMAN SERVICES COMMITTEE OF APRIL 27, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on April 27, 2011, and recommends the following motions:

- 1. Review Minutes of:
  - a. Community Options Program (March 28, 2011)
  - b. Human Services Board (March 10, 2011)
  - c. Veterans' Recognition Subcommittee (March 15, 2011)

Receive and place on file Items 1a, 1b, and 1c

- 2. Aging & Disability Resource Center Revenue and Expense Report for February, 2011. Receive and place on file.
- 3. Health Dept Budget Adjustment Request (11-45): Change in any item with Outlay account which requires the reallocation of funds from any other major budget classification or the reallocation of Outlay funds to another major budget classification. To approve.
- 4. Health Dept Approval of the low bid from Northern Electric for the installation of an emergency generator at Health Department. <u>To approve.</u>
- 5. Human Services Dept Executive Director's Report. To receive and place on file.
- 6. Human Services Dept Update on Economic Support.
  - 1. <u>To have Human Services and Corporation Counsel create a resolution in opposition to the State's proposed plan and in support of Brown County's proposed model.</u>
  - 2. Receive and place on file.
- 7. Human Services Dept Financial Report of Community Treatment Center and Community Programs. Receive and place on file.
- 8. Human Services Dept Community Treatment Center Update. Receive and place on file.
- 9. Human Services Dept Monthly Inpatient Data Community Treatment Center and Bellin Psychiatric Center. Receive and place on file.
- 10. Human Services Dept Approval for New Non-Continuous Vendor. To approve.
- 11. Human Services Dept Request for New Vendor Contract. To approve.
- 12. Human Services Dept Monthly Contract Update. Receive and place on file.
- 13. Human Services Dept Budget Adjustment Request (11-42): Interdepartmental reallocation or adjustment (including reallocation from the County's General Fund). <u>To approve.</u>
- 14. Human Services Dept Budget Adjustment Request (11-46): Increase in expenses with offsetting increase in revenue. <u>To approve.</u>
- 15. Audit of bills. To pay bills.

A motion was made by Supervisor Moynihan and seconded by Supervisor Evans "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

# No. 8e -- REPORT OF PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE OF APRIL 25, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on April 25, 2011 and recommends the following motions.

- 2. Communications from Supervisor Dantinne re: Have Brown County Highway look into wedging and chip sealing various County roads to extend the life of the highway system and possibly tour roads to see how chip sealing works. To hold item #2 for a month.
- 3. Register of Deeds Budget Status Financial Reports for January, February and March, 2011. Receive and place on file.
- 4. Register of Deeds 2010 Annual Report. Receive and place on file.
- 5. Highway March 2011 Budget to Actual. Receive and place on file.
- 6. Highway Resolution re: To Approve Gas line Easement on County Land. <u>To approve.</u> See Resolutions, Ordinances May County Board.
- 7. Highway Director's Report. Receive and place on file.
- 8. Planning Commission Budget Status Financial Report for February and March, 2011. See #9
- 9. Property Listing Budget Status Financial Report for February and March, 2011. Receive and place on file items #8 and #9.
- 10. Zoning Budget Status Financial Report for February and March, 2011. Receive and place on file.
- 11. Zoning Private onsite wastewater treatment system pretreatment unit mandatory maintenance requirement letters. Receive and place on file.
- 12. Airport Budget Status Financial Report for March, 2011. Receive and place on file.
- 13. Audit of bills. To pay bills.

A motion was made by Supervisor Erickson and seconded by Supervisor Haefs "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

#### No. 8e(i) -- REPORT OF LAND CONSERVATION SUB-COMMITTEE OF APRIL 25, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The LAND CONSERVATION SUB COMMITTEE met in regular session on April 25, 2011 and recommends the following motions.

- 1. Land and Water Conservation Department Budget Update: December 2010, February 2011, February 2011 LWCD Grants. Receive and place on file.
- 2. Review of Working Lands Initiative Program information Jim Jolly. Receive and place on file.

3. Review and approval of Targeted Resource Management (TRM) Grant Application to State of Wisconsin for 2012 budget year – Jon Bechle, Brad Holtz. <u>To approve.</u>

A motion was made by Supervisor Dantinne and seconded by Supervisor Haefs "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

### No. 8f -- REPORT OF PUBLIC SAFETY COMMITTEE OF APRIL 20, 2011

TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on May 4, 2011 and recommends the following motions:

- 1. Review of minutes:
  - a. Circuit Court Security Committee Meeting (January 18, 2011). Receive and place on file.
  - b. Emergency Medical Services Council (February 16, 2011). Receive and place on file.
  - c. Criminal Justice Coordinating Board (March 29, 2011). Receive and place on file.
- 2. 2010 Drug Prosecution Study. Receive and place on file.
- 3. Sheriff Key Factor Reports for April and May, 2011 and Jail Average Daily Population by Month and Type for the Calendar Year 2010. Receive and place on file.
- 4. Sheriff Budget Status Financial Report for December, 2010 unaudited. Receive and place on file.
- 5. Sheriff Budget Status Financial Report for February and March, 2011. Receive and place on file.
- 6. Sheriff Budget Adjustment Request (#11-48): Increase in expense with offsetting increase in revenue. To approve in the amount of \$98,110.00.
- 7. Sheriff's Report. Receive and place on file.
- 7a. Update re: S & L Costs. Receive and place on file.
- 8. Public Safety Communications Budget Status Financial Reports for February and March, 2011. Receive and place on file.
- 9. Public Safety Communications Director's Report. Receive and place on file.
- 9a. Discussion re: Contracts for 911 Center. A closed session may be held for the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wis. Stats. § 19.85(1)(e). (Discussion of labor contracts). Receive and place on file.
- 10. Circuit Courts Budget Status Financial Reports for January, February and March, 2011. Receive and place on file.
- 11. Circuit Courts Quarterly Report of Brown Co. Security/Incident Review Committee March 31, 2011. Receive and place on file.
- 12. Clerk of Courts Budget Status Financial Report for March, 2011. Receive and place on file.
- 13. Audit of bills. To approve.

A motion was made by Supervisor De Wane and seconded by Supervisor Buckley "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

# No. 8f(i) -- REPORT OF "SPECIAL" PUBLIC SAFETY COMMITTEE OF MAY 18, 2011

#### **Facilities Management**

1. Approval of Low Bid for the Communication Cabling Contract at the Sheriff's Office. A motion was made by Supervisor Kaster and seconded by Supervisor Buckley to approve low bid of One Source Technologies in the amount of \$56,079.00. Vote taken. Motion carried unanimously.

# **Sheriff**

2. Discussion and Approval of Request from Pearly Gates Bar & Grill re: July 9, 2011 Veteran's Fundraiser Event. A motion was made by Supervisor Buckley and seconded by Supervisor Nicholson to approve. Vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Kaster and seconded by Supervisor Buckley "to adopt". Supervisor De Wane commented that Bob Heimann, Information Services Director, did a great job on cabling project. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9 -- RESOLUTIONS, ORDINANCES:

No. 9a -- RESOLUTION REGARDING: 2010 BUDGET OVERDRAFT AND SHORTFALL APPROPRIATIONS

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, certain overdrafts and shortfalls have developed in various departmental budgets for 2010, and

WHEREAS, it is necessary to make appropriations to cover these various departmental deficits in order to balance these budgets for the past year.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that there be appropriated from the General Fund and placed in the 2010 departmental budget the following amount:

 Department
 Amount

 District Attorney
 \$27,231

 UW-Extension
 11,850

 Total
 \$39,081

#### Explanation of Shortfall by Department:

District Attorney Over-expenditures occurred in wages and fringes.

Turnover savings were not recognized.

UW-Extension Shortfalls were recognized in anticipated donations.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Andrews and seconded by Supervisor Brunette "**to adopt.**" Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_\s\ Troy Streckenbach, County Executive\_\_\_ Date: 5/23/2011

# No. 9b -- RESOLUTION REGARDING: ADOPTING THE TENTATIVE BROWN COUNTY SUPERVISORY DISTRICT PLAN

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, every ten years the United States Census Bureau conducts a census of the population and provides population counts to the State of Wisconsin and local municipalities; and

WHEREAS, the State of Wisconsin released detailed population data and block-level maps to Brown County on March 21, 2011; and

WHEREAS, Wisconsin Statutes sec. 59.10(3) requires each county to adopt a new county supervisory district plan based on the population data block-level maps; and

WHEREAS, Wisconsin Statutes sec. 59.10(3)(b)1. requires each county to first adopt a tentative county supervisory district plan within 60 days of receiving the population data and block-level maps; and

WHEREAS, Wisconsin Statutes sec. 59.10(3)(b)1. also requires each county to hold a public hearing to solicit suggestions from the public and local municipalities before adopting the tentative county supervisory district plan; and

WHEREAS, said public hearing was held on May 17, 2011; and

WHEREAS, the tentative county supervisory district plan map (29-D Amended by the Executive Committee) a copy of which is attached to this resolution, contains 29 supervisory districts which are substantially equal in population.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors hereby adopts the attached tentative county supervisory district plan; and

BE IT FURTHER RESOLVED that copies of the adopted resolution and tentative plan (29-D Amended) be distributed to all local municipal clerks within Brown County.

Respectfully submitted, EXECUTIVE COMMITTEE

Final Draft Approved by Corporation Counsel Authored by: Corporation Counsel

Fiscal Note:

This resolution does require an appropriation from the General Fund. The additional cost in levy to the County for the increase in members of the County Board will be \$36,906 annually. The additional dollars will be budgeted in the 2012 and 2013 budgets.

A motion was made by Supervisor Andrews and seconded by Supervisor Tumpach "to adopt Supervisor District Plan 29d."

Discussion and presentation of the plan was given by Aaron Schuette, Senior Planner, of the Brown County Planning and Land Services Department. Mr. Schuette stated that Brown County had a population growth of 22,000 in the last 10 years. Mr. Schuette also stated that Friday, May 20<sup>th</sup> is the deadline to submit the plan to the State.

Following questions for Mr. Schuette, a motion was made by Supervisor Tumpach and seconded by Supervisor Andrews "to adopt the amendments to the District Plan 29d\*\*". Voice vote taken. Motion carried unanimously with no abstentions.

\*\* The amendments to the plan are attached to the end of the minutes or available to view in the Brown County Clerk's Office.

A motion was made by Supervisor Theisen and seconded by Supervisor Buckley "to adopt the amended District Plan 29d".

A motion was made by Supervisor Andrews and seconded by Supervisor Lund "to suspend the rules to allow interested parties to address the Board". Voice vote taken. Motion carried unanimously with no abstentions.

Dottie Juengst, 826 Cornelius Drive, Green Bay, WI said for District 1 her numbers don't agree with what is presented.

John Klasen, Lawrence Town Chairman, 1685 Eagle Bluff, is opposed to an increase in numbers. He stated 26 is a good number.

A motion was made by Supervisor Haefs and seconded by Supervisor De Wane "to return to the regular order of business". Voice vote taken. Motion carried unanimously with no abstentions.

The following Supervisors spoke in support of maintaining 26 Supervisory Districts:

Patrick Moynihan, Jr.

Steven Fewell

Norbert Dantinne

Vicky Van Vonderen

Bill Clancy

Pat La Violette

Mike Fleck

The following Supervisors spoke in support of increasing to 29 Supervisory Districts:

Patrick Buckley

Mary Scray

Carol Andrews

Tony Theisen

A vote was taken on Supervisor Theisen's motion "to adopt the amended District Plan **#29d".** Vote taken. Roll Call #9b(1): Ayes: Tumpach, De Wane, Nicholson, Theisen, Haefs, Brunette, Zima, Evans, Vander Leest, Buckley, Andrews, Scray Nays: Erickson, Dantinne, La Violette, Kaster, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Carpenter, Lund, Fewell Excused: Krueger Excused: Total Ayes: 12 Total Navs: 13 1 Motion failed. A motion was made by Supervisor Lund and seconded by Supervisor Fewell "to adopt District Plan #26b". No action taken on this motion. A motion was made by Supervisor Erickson and seconded by Supervisor Theisen "to allow reconsideration of his vote on the amended District Plan 29d". Voice vote was taken. Motion carried unanimously with no abstentions. A motion was made by Supervisor Haefs and seconded by Supervisor Evans "to suspend the rules to reconsider the vote on amended District Plan 29d". Vote taken. Roll Call #9b(2): Ayes: Tumpach, De Wane, Nicholson, Theisen, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Buckley, Andrews, Kaster, Scray, Lund Nays: Dantinne, La Violette, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Carpenter, Fewell Krueger Excused: Total Nays: 10 Excused: Total Ayes: 15 1 Motion approved to reconsider. Vote taken on "final vote to approve Supervisory District Map Plan #29d as amended". Roll Call #9b(3): Ayes: Tumpach, De Wane, Nicholson, Theisen, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Buckley, Kaster, Scray Nays: Dantinne, La Violette, Andrews, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Carpenter, Lund, Fewell Excused: Krueger Excused: 12 1 Total Aves: 13 Total Navs: Motion approved to adopt the Supervisory District Map Plan #29d.

# COUNTY EXECUTIVE'S VETO ON NEXT PAGE

Approved by: VETOED BY COUNTY EXECUTIVE \*\*

# executive Brown County

305 E. WALNUT STREET P.O. BOX 23600 GREEN BAY, WI 54305-3600



PHONE (920) 448-4001 FAX (920) 448-4003

BROWN COUNTY EXECUTIVE

May 23, 2011

To the Members of the Brown County Supervisors:

This correspondence is to inform you that I am vetoing the "Resolution adopting tentative Brown County Supervisory District Plan". In a time of significant budget short falls and public employees being asked to do more with less; considering public employees jobs are at stake, increasing the size of the County Board at this time is not acceptable. An effort was made to reach a compromise; however that failed due to a lack of support of reducing the overall cost to reflect the additional County Board seats.

Respectfully Submitted,

Troy Streckenbach County Executive

# No. 9c -- RESOLUTION REGARDING: TO APPROVE GAS LINE EASEMENT ON COUNTY LAND

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the County owns a parcel of land in the Town of Wrightstown (Tax ID W-108-5) partly abutting right-of-way for County Highway D consisting of approximately 1.3 acres of vacant land; and

WHEREAS, Guardian Pipeline, LLC proposes to acquire a gas line easement across the parcel as described in the attached Pipeline Easement; and

WHEREAS, the proposed easement would not interfere with the Highway Department's future use of this land for highway right-of-way; and

WHEREAS, Guardian Pipeline, LLC proposes to pay \$7,500 per acre in consideration for the permanent easement; and

WHEREAS, the easement involves 0.21 of one acre of land and therefore the total compensation to the Highway Department will be  $$1,575.00 (.21 \times $7,500 = $1,575.00)$ ; and

WHEREAS, Guardian Pipeline, LLC paid \$7,500 per acre for a pipeline easement crossing other Brown County land in the vicinity of this parcel in November 2007.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors does approve the pipeline easement proposed by Guardian Pipeline, LLC.

Respectfully submitted, PLANNING, DEVELOPMENT & TRANSPORTATON COMMITTEE

Final Draft Approved by Corporation Counsel

Authored by: Corporation Counsel

Fiscal Note: This resolution does not require an appropriation for the General Fund. The

revenue generated by the easement will be recorded to the Highway

Department.

A motion was made by Supervisor Andrews and seconded by Supervisor Moynihan "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Troy Streckenbach, County Executive\_\_ Date: 5/23/2011

# ATTACHMENTS TO RESOLUTION #9C ON FOLLOWING PAGES

#### PIPELINE EASEMENT

After recording return to:

Guardian Pipeline

Jeffrey A. Simmons Foley & Lardner LLP 150 E. Gilman Street Madison, WI 53703

Tract Numbers

G2-BR-440.40

Parcel Identification Number(s):

W-108-5

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned:

BROWN COUNTY, a Wisconsin body corporate, (hereafter "Grantor"), for and in consideration of the sum of One and No/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby bargain, grant, convey, and warrant to GUARDIAN PIPELINE, L.L.C., a Delaware limited liability company (hereinafter referred to as "Grantee"), and to its successors and assigns, the perpetual and exclusive right, privilege, and easement to construct, inspect, repair, maintain, operate, replace, protect, test, patrol, and/or remove one pipeline, and all appurtenances and equipment used or useful in the operation of such pipeline, including but not limited to cathodic protection apparatus, for the transportation of natural gas and associated by-products on, over, under, across and through a strip of land fifty feet (50") in width, hereinafter referred to as the "Easement" across the tract of land described on Exhibit "A" attached hereto and incorporated herein.

In addition to the Easement and the other rights granted to Grantee pursuant to the foregoing paragraph, Grantor hereby grants, conveys and warrants to the Grantee, and its successors and assigns, the perpetual right, privilege and easement to enter the Easement area from adjacent Easements or public rights-of-way and to survey the area, to clear the Easement of brush, trees, and/or obstructions, and to construct, operate, inspect, repair, maintain, replace, protect, test, patrol and remove the Grantee's pipeline, appurtenances, and equipment. Grantor may continue to use the surface of the Easement for agricultural, pasturage, or other purposes, to the extent they will not interfere with the use of the Easement by Grantee as provided by this Easement. Grantor shall not impound water upon the Easement, change the ground elevation or grade of the Easement, or construct, or permit to be constructed, on the Easement area, any building, structure, improvement or obstruction. Grantor shall not plant any trees or shrubs upon the Easement that would interfere with Grantee's exercise of Grantee's easement rights or Grantee's pipeline.

As further consideration for the payments made and to be made by Grantee hereunder, it is further agreed as follows that:

#### Guardian Pipeline Easement/page 2

- 1. The location of the pipeline on the above-described tract is described in Exhibit "B" and depicted on Exhibit "C" attached hereto and made a part hereof. The Easement is twenty-five (25) feet on each side of the centerline of Grantee's pipeline as installed.
- 2. Grantee will pay Grantor for any damages to Grantor's growing crops, grasses, trees, shrubbery, livestock or other property of Grantor caused by the construction, inspection, repair, maintenance, operation, replacement, protection, testing, patrolling and/or removal of Grantee's pipeline, appurtenances and equipment on Grantor's property; provided, however, that Grantee shall have the right, without additional compensation owed to Grantor, from time to time after initial construction of the pipeline to clear and keep cleared all trees, brush, shrubs, undergrowth, buildings, structures, improvements, or other obstructions from the Easement that may in Grantee's sole judgment, interfere with Grantee's use of the Easement granted herein.
- 3. Grantor represents and warrants to Grantee that Grantor is lawfully seized in fee simple title to the above-described lands and has a good and lawful right to convey the rights as herein done.
- 4. This instrument may be executed in counterparts, but which together shall constitute one and the same instrument.
- 5. Grantee shall make payment hereunder without responsibility for allocation of said payment among multiple Grantor(s), it being expressly understood and agreed that Grantee shall not be obliged to see to the application or disposition of the proceeds.
- 6. The rights of Grantee hereunder may be sold, assigned or leased, in whole or in part, by Grantee at any time.
- 7. Grantor represents that there are no non-signatories to the easement who have any rights under any applicable homestead exemption or marital property laws. Any non-titled spouse signs below as Grantor for the purposes of releasing and waiving all rights he or she may hold under all applicable homestead exemption and marital property laws.
- 8. It is understood and agreed that this easement and all rights, privileges, and obligations created herein shall run with the land and shall inure to the benefit of and be binding and obligatory upon the legal representatives, heirs, executors, administrators, devisees, legatees, successors, and assigns of the parties hereto.

MADI\_2582602.2

Guardian Pipeline Easement/page 5

# Exhibit A

That part of Government Lot Number Two (2), in Section 25, Township 22 North of Range 19 East, described in Volume 97 of Deeds at Page 83, in the Town of Wrightstown, Brown County, Wisconsin.

MADI\_2582602.2

**GUARDIAN PIPELINE, L.L.C.** Tract No. G2-BR-440.40

#### **Exhibit B**

#### **PIPELINE EASEMENT AREA:**

A permanent strip of land 50 feet in even width lying 25 feet on each side of the pipeline centerline as constructed, as measured perpendicular thereto, and to extend over, under, and across, the "Tract" of land owned by Brown County described in Exhibit A; said proposed easement area located in the south half of Government Lot 2, west side of the Fox River, Section 25, Township 22 North, Range 19 East, Town of Wrightstown, in Brown County, State of Wisconsin, and being described as follows:

Commencing at the west quarter corner of said Section 25; thence easterly along the east-west quarter line at a distance of 593' feet passing the west corner of said Tract and continuing on said quarter line and the south property line of said Tract for a total distance of 815 feet to the east property line of said Tract; thence northerly along said east line a distance of 397 feet to the intersection of said centerline for the Point Of Beginning;

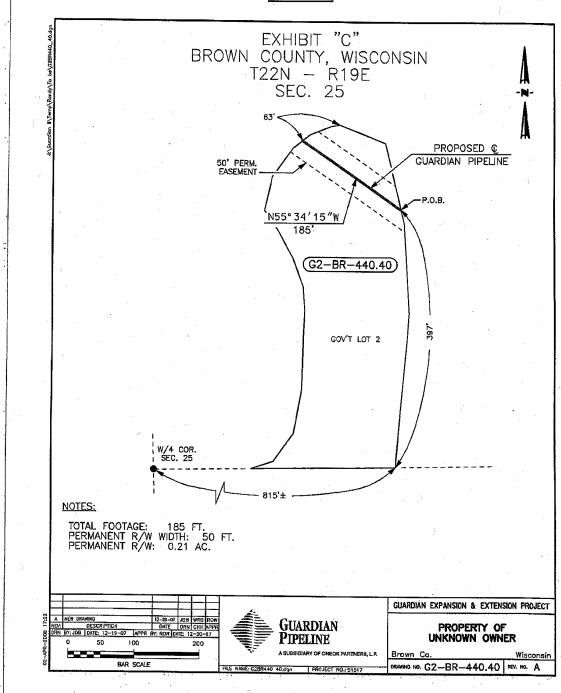
thence N 55° 34' 15" W a distance of 185 feet along said centerline to a point on the northerly west property line of said Tract; said point being southerly a distance of 63 feet along said north west property line from the most northerly corner of said Tract and termination of this description and containing 0.21 of one acre of land.

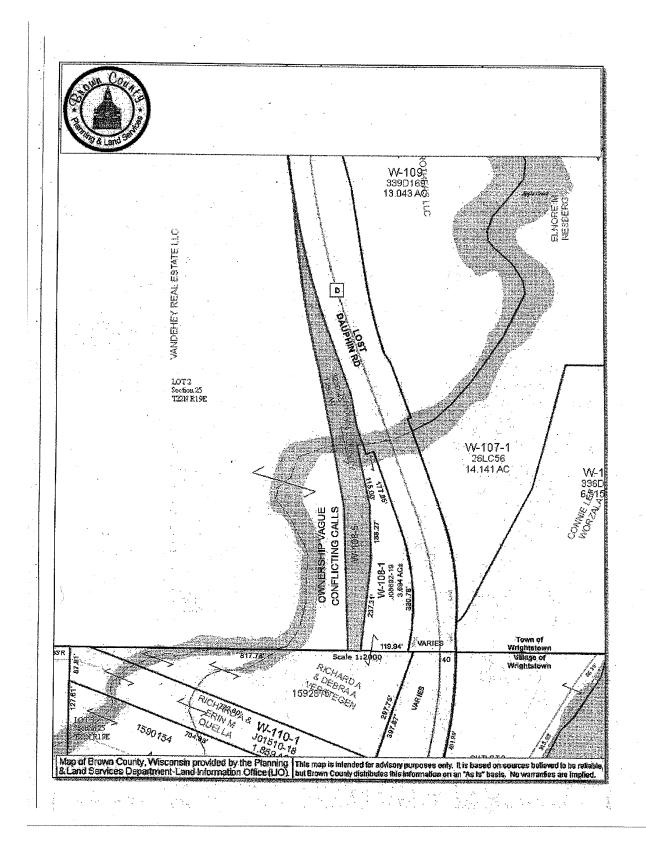
#### NOTE

The edge lines of said easements shall lengthen and/or shorten at the point of beginning, point of termination, and each change in course as needed to provide a continuous strip of land across said Tract, which is 25 feet off both sides of the centerline of the pipeline as constructed.

MADI\_2592859.1

# Exhibit C





No. 10 -- CLOSED SESSION: NO CLOSED SESSION NECESSARY.

No. 11 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW.

No. 11a -- LATE COMMUNICATION FROM SUPERVISOR NICHOLSON AND SUPERVISOR DE WANE RE: REQUEST THE PLANNING DEPARTMENT TO VERIFY THE NUMBER OF RESIDENTS WITH THE CENSUS BUREAU THAT ARE PROVIDED IN DISTRICTS 2 & 3

Refer to Planning & Land Services Department

# No. 12 -- BILLS OVER \$5,000 FOR PERIOD ENDING APRIL 30, 2011.

A motion was made by Supervisor Clancy and seconded by Supervisor Fleck "to pay the bills for the period ending April 30, 2011". Voice vote taken. Motion carried unanimously with no abstentions.

# No. 13 -- CLOSING ROLL CALL.

Present: Tumpach, De Wane, Nicholson, Theisen, Haefs, Erickson, Brunette, Zima,

Evans, Vander Leest, Buckley, Dantinne, La Violette, Andrews, Kaster, Van Vonderen, Schuller, Fleck, Clancy, Wetzel, Moynihan, Scray, Carpenter, Lund,

Fewell

Excused: Krueger

Total Present: 25 Total Excused: 1

No. 14 -- ADJOURNMENT TO WEDNESDAY, JUNE 15, 2011 AT 7:00 P.M., LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor Clancy and seconded by Supervisor De Wane "to adjourn to the above date and time". Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at 9:07 p.m.

\s\ Darlene K. Marcelle
Brown County Clerk

# ATTACHMENT TO RESOLUTION #9B ON FOLLOWING PAGE

